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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,795	01/26/2006	Wenying You	CN 020041	7160

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EXAMINER
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VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
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2131

MAIL DATE	DELIVERY MODE
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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/540,795	<b>Applicant(s)</b> YOU ET AL.	
	<b>Examiner</b> MICHAEL R. VAUGHAN	<b>Art Unit</b> 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 1-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 26 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/20/2006</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

The instant application having Application No. 10/540795 filed on 1/26/2006 is presented for examination by the examiner.

#### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received.

#### ***Claim Objections***

Claims 1-12 are objected to because of the following informalities: There are instances where words such as, "a", "the", or "of" are omitted. For example in claim 9, "the 16 bytes information" is ambiguous. Another example of the problem is in claim 2. The word "and" is omitted from claim 2 between steps of checking and not allowing. Also "it" should be replaced with its antecedent basis for clarity in claim 2 as well as claim 10. Clauses within the claims do not need to be capitalized (i.e. claim 1 and 10).

Claim 9, recites the limitation "or over". This phrase is indefinite but Examiner assumes it means greater than.

Claims 11 and 12 recite "said read software". There is not antecedent basis for software being read in claim 10.

#### ***Claim Rejections - 35 USC § 112***

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The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 4, There is not antecedent basis or mention any said compact disc.

As per claim 10, there is no antecedent basis or mention of said played compact disc. The limitation of updating the software of the bus decryption module is recited twice and there is no basis for this being done twice in the specification. It is unclear why it is being performed twice back to back. For purposes of examination, Examiner considers it a translation anomaly. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication 2005/0021941 to Ohmori et al., hereinafter Ohmori.

As per claim 1, Ohmori teaches a method used in a player for increasing the extendibility of disk copy protection, it includes the following steps:

- a) Compare the version number (0053, line 10) in the system for disk copy protection with that of corresponding system for the copy protection in the player and confirm whether it needs to revoke data (0022);
- b) If the data needs to be revoked, read the information on the revocation data in said disk (0047), then confirm whether to revoke the partial relevant playing license (0148, illegal user/device) or revoke all the relevant playing license in accordance with the information on the revocation data (0151, replace CRL with new version);
- c) If the partial relevant playing license is to be revoked, undertake revoking confirmation (0151, unauthorized use, terminate).

As per claim 2, Ohmori teaches said step (c) further includes checking if the player holds the playing license that should be revoked, if it holds, it is not allowable for the player to play the compact disc normally (0151 terminate).

As per claim 3, Ohmori teaches the following steps: if revoke all the relevant playing license, confirm whether the player holds legal authorization (0092, IC verifies descrambler);  
if the player holds legal authorization, update the system software of the copy protection thereof (0152, update CRL).

As per claim 4, Ohmori teaches further includes the step of reading said version number from the said compact disc (0146 and version number in 0053).

As per claim 5, Ohmori teaches the step of downloading needed new system software of the copy protection from the Internet (0209).

As per claim 6, Ohmori teaches downloading needed new system software of the copy protection from compact disc or floppy disk (Fig. 11A and 0152).

As per claim 7, Ohmori teaches updating step includes updating the software of the bus encryption module (0205, unit) of said player and updating the software of the bus decryption module (0207, unit) and revocation conformation module in the decoding part of said player (0152, CRL memory unit)

As per claim 8, Ohmori teaches the confirming step of said step c) is implemented by the ID conformation module [CRL checking unit] in the decoding part in said player (0080).

As per claim 9, Ohmori teaches disk includes a guiding area, in the second sector of which are encrypted disk keys that are 16 bytes [128 bits] or over and the 16 bytes information on the version number of the system for the copy protection ( 0054 , 0064, and Fig 2.)

As per claim 10, Ohmori teaches a player of increasing the extendibility of disk copy protection, it includes a drive part (Fig. 1, 1a) and a decoding part (Fig 10, 260, said drive part includes an authentication module (Fig. 1, 237), a bus encryption module (Fig.1, 224 to SAC) and an ID confirmation module (Fig. 1, 233); said decoding part includes an authentication module (Fig. 1, 277), a bus decryption module (Fig. 1, 280 to SAC), a revocation confirmation module (Fig. 10, 250) and an ID confirmation module (Fig. 1, 273), wherein,

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when said player judges it needs to revoke all the relevant playing license according to the information of revocation data in said played compact disc (0151), the ID confirmation module in said drive part (0092, authentication of descrambler), updating the software of the bus encryption module of the driving part (hashing and encrypting new random number to generate a session key and creating a SAC 0105), firstly confirms whether the player holds legal authorization (0092), if it holds, update the software of the bus decryption module (hashing again, to create new session key based on random number and allowing descrambling) and revocation confirmation module in the decoding part (0152, update CRL); when the said player needs to implement revoking the partial relevant playing license, the revocation confirmation module in the decoding part receives revocation data read from the compact disc and confirms revoking partial revocation data (0151, unauthorized use).

As per claim 11, Ohmori teaches read software is downloaded from the Internet (0209).

As per claim 12, Ohmori teaches read software is read from upgraded optical compact disc or floppy disk (Fig. 11A and 0152).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USP Application Publication 2002/0087871 discloses if a set of device keys is compromised, an updated MKB can be released that causes a device with the compromised set of device keys to calculate a different media key than is computed by the remaining compliant devices. In this way, the compromised device keys are "revoked" by the new MKB.

USP 7,137,012 discloses a storage medium for use in recording and reproducing contents such as image data and music data, and more particularly to a storage medium suitable for preventing recording/reproducing of contents by improper electronic devices and a contents protection method using the storage medium.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is (571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published



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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./

Examiner, Art Unit 2131

/Ayaz R. Sheikh/

Supervisory Patent Examiner, Art Unit 2131